

Date

W. Thomas Barrett, III
110 Smith Circle, Suite B
Post Office Drawer 280
Cameron, Louisiana 70631

Re: Ethics Board Docket No. 2016-124

Dear Mr. Barrett:

The Louisiana Board of Ethics, at its April 15, 2016 Board meeting, considered your request for an advisory opinion on behalf of Waterworks District No. 10 of Cameron Parish (District) regarding whether the District may hire either Paul Young or Justin Trahan while Mark Young is the superintendent of the District. Paul Young is the brother and immediate family member of Mark Young. Justin Trahan is the brother of Mark Young's spouse. Mark Young has been the superintendent of the District since February 7, 2011. He oversees the operations and maintenance of the entire waterworks system. Mark Young does not have the authority to hire, fire, or give raises; however, he does sign off on the time sheets of the three employees he currently supervises due to the timing of payroll. The Board of Directors for the District reviews all time sheets at the monthly meetings.

The Board concluded, and instructed me to inform you, that the Code of Governmental Ethics would prohibit Paul Young from being employed by the District while Mark Young is the superintendent. However, the Board concluded that Justin Trahan would not be prohibited by the Code of Governmental Ethics from being employed by the District while Mark Young is the superintendent. La. R.S. 42:1119A prohibits an immediate family member of an agency head from being employed within the agency head's agency. La. R.S. 42:1102(13) provides that immediate family member as it relates to a public servant means his children, the spouses of his children, his brothers and their spouses, his sisters and their spouses, his parents, his spouse, and the parents of his spouse. Paul Young is the immediate family member of Mark Young. Justin Trahan is not an immediate family member to Mark Young.

This advisory opinion is based solely on the facts as set forth herein. Changes to the facts presented may result in a different application of the provisions of the Code of Ethics. The Board issues no opinion as to past conduct or laws other than Code of Governmental Ethics. If you have any questions, please contact me at (225) 219-5600 or (800) 842-6630.

Sincerely,
LOUISIANA BOARD OF ETHICS

Brett Robinson
For the Board